THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

AND

THE DIVISION FOR PALESTINIAN RIGHTS

INFORMATION NOTE

UNITED NATIONS
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Committee on the Exercise of the Inalienable Rights of the Palestinian People

A. Mandate

The question of Palestine was first brought before the General Assembly in 1947, when the Assembly decided to partition Palestine into two States, one Arab and one Jewish, with a special status for Jerusalem (resolution 181 (II)). In later years, as the Arab State did not come into being and several wars were fought in the area, the Palestine problem was discussed as part of the larger Middle East conflict or in its refugee or human rights aspects. It was only in 1974 that the question of Palestine was reintroduced in the Assembly's agenda and the inalienable rights of the Palestinian people were reaffirmed. They include: the right to self-determination without external interference; the right to national independence and sovereignty; and the right of Palestinians to return to their homes and property from which they had been displaced and uprooted.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People was established in 1975 as a subsidiary body of the General Assembly.

In the relevant resolution (3376 (XXX) of 10 November 1975), the General Assembly expressed grave concern that no progress had been achieved towards the exercise by the Palestinian people of its inalienable rights in Palestine, and requested the Committee to consider and recommend to the Assembly a programme of implementation, designed to enable the Palestinian people to exercise its rights. The Committee was requested to submit its report and recommendations to the Secretary-General, no later than 1 June 1976, for transmission to the Security Council.

The Committee was authorized to establish contact with, and to receive and consider suggestions and proposals from, any State and intergovernmental regional organization and the Palestine Liberation Organization (PLO). In resolution 3375 (XXX), also adopted on 10 November 1975, the General Assembly called for the invitation of the PLO, as the representative of the Palestinian people, to participate in all efforts, deliberations and conferences on the Middle East held under the auspices of the United Nations, on an equal footing with other parties.

In its first report, which was submitted to the Security Council in June 1976, the Committee affirmed that the question of Palestine was "at the heart of the Middle East problem" and that no solution could be envisaged which did not take fully into account the legitimate aspirations of the Palestinian people. The Committee urged the Council to promote action for a just solution, taking into account all the powers conferred on it by the Charter of the United Nations. The recommendations of the Committee included a two-phase plan for the return of Palestinians to their homes and property; a timetable for the withdrawal of Israeli forces from the occupied territories by 1 June 1977, with the provision, if necessary, of temporary peace-keeping forces to facilitate the process; an end to the establishment of settlements; recognition by Israel of the applicability of the Fourth Geneva Convention to the occupied territories pending withdrawal; and endorsement of the inherent right of Palestinians to self-determination, national independence and sovereignty in Palestine. The Committee also expressed the view that the United Nations had the historical duty and responsibility to render all assistance necessary to promote the economic development and prosperity of the Palestinian entity.

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The Committee's recommendations were not adopted by the Security Council and have not been implemented. They were, however, endorsed by the General Assembly, to which the Committee reports annually, at the thirty-first (1976) and subsequent sessions, by overwhelming majorities. The Assembly reaffirmed that a just and lasting peace in the Middle East could not be established without the achievement of a just solution of the problem of Palestine based on the attainment of the inalienable rights of the Palestinian people, and authorized the Committee "to exert all efforts to promote the implementation of its recommendations". The Assembly also requested the Committee to keep the situation relating to the question of Palestine under review and to report and make suggestions to the General Assembly or the Security Council as appropriate.

Over the years, the Committee's mandate was enlarged to include the organization of seminars, symposia and meetings of non-governmental organizations (NGOs), monitoring developments, the preparation of studies and publications, and the annual observance of the International Day of Solidarity with the Palestinian People on 29 November, the anniversary of the partition resolution.

During 1982-1983 the Committee, in addition to its mandate, served as the preparatory body for the International Conference on the Question of Palestine, which was held at Geneva from 29 August to 7 September 1983. The Conference adopted a Declaration and Programme of Action for the Achievement of Palestinian Rights, which included guidelines for a solution of the Palestine question through the convening of an international peace conference on the Middle East under the auspices of the United Nations. The proposal and guidelines for the conference were endorsed by the General Assembly in its resolution 38/58 C of 13 December 1983. For the next several years, promoting the convening of the conference became a priority in the Committee's programme of work.

The Committee also continued to monitor the situation in the occupied territory and to call for international measures to ensure respect for human rights and humanitarian law by the Israeli authorities, particularly after the outbreak of the Palestinian uprising, the intifadah, in December 1987.

In 1988, following the Palestinian "Declaration of Independence" and the statement made by Yasser Arafat, Chairman of the Executive Committee of the PLO, at the General Assembly meeting at Geneva, the Assembly adopted an amended version of the conference proposal. In its resolution 43/176 of 15 December 1988, the Assembly called for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the PLO, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination. The resolution spelled out five principles for the achievement of comprehensive peace in the region that included the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from other occupied Arab territories; guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries; resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions; dismantling the Israeli settlements in the territories occupied since 1967; and guaranteeing freedom of access to Holy Places, religious buildings and sites. By the same resolution the Security Council was requested to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee for such a conference. The resolution was adopted by an unprecedented majority of 138 votes in favour, 2 against and 2 abstentions.

In 1991, the General Assembly welcomed the convening at Madrid, on 30 October, of a peace conference under the co-sponsorship of the United States of America and the Union of Soviet Socialist Republics, with the goal of attaining a settlement based on Security Council resolutions 242 (1967) and 338 (1973). In resolution 46/75 of 11 December 1991, and a similar resolution adopted the following year, the General Assembly considered, however, that the convening of a conference under United Nations auspices, as previously proposed, would contribute to the promotion of peace in the region.

The Committee also voiced support for the Madrid conference in its 1992 report, expressing the earnest hope that it would bring about a comprehensive, just and lasting settlement to the question of Palestine. In the Committee's view, an active role by the United Nations, the Security Council and the Secretary-General was essential for a successful outcome of the peace process. The Committee reaffirmed the international consensus that the attainment of the inalienable rights of the Palestinian people is indispensable for the achievement of peace and expressed hope that the Israeli Government would recognize and respect those rights and institute radical changes in its policies in favour of peace. The Committee expressed its continued and full support for the intifadah and called once again on Israel to recognize the applicability of the Fourth Geneva Convention to the occupied Palestinian territory. The Committee also reaffirmed the need for the United Nations and its relevant organs to promote and increase the social and economic development of the occupied Palestinian territory and devoted part of its programme of work in 1993 to this important issue.

Following the signing, in September 1993, of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the PLO, the Committee welcomed this evolution in the peace process as an important step towards the attainment of a comprehensive, just and lasting peace in accordance with Security Council resolutions 242 (1967) and 338 (1973) and other relevant United Nations resolutions.

The Committee called for intensified support and assistance by the international community to the Palestinian people under its recognized leadership, the PLO, in order to ensure the successful implementation of the agreement reached. In particular, the Committee stressed the need for the full engagement of the United Nations in the peace process and in building the forthcoming Palestinian National Authority as well as in providing broad assistance to the Palestinian people in all needed fields. The Committee stressed the following tasks in its programme of work for 1994:

(a) Promoting support for the ongoing peace process and for the "Declaration of Principles on Interim Self-Government Arrangements", and following closely the developments and monitoring the situation on the ground in order to promote the effective implementation of the agreements reached and the full realization of Palestinian rights;

(b) Promoting intensified assistance to the Palestinian people by the United Nations system as a whole, as well as other donors, for immediate relief and for nation-building;

(c) Encouraging constructive consideration and debate of the major issues to be negotiated at a later stage with a view to promoting a final settlement based on international legitimacy in accordance with Security Council resolutions 242 (1967) and 338 (1973) and other relevant United Nations resolutions.

At the forty-eighth session, the General Assembly expressed its support for the Declaration of Principles. In endorsing the recommendations of the Committee, the Assembly expressed the view that the Committee could make a valuable and positive contribution to international efforts to promote the effective implementation of the Declaration and to mobilize international support for and assistance to the Palestinian people during the transitional period (resolution 48/158 A of 20 December 1994). The Assembly also requested the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly or the Security Council, as appropriate; to exert all efforts to promote the exercise of the inalienable rights of the Palestinian people, with particular emphasis on the need to mobilize support for and assistance to the Palestinian people; and to continue to extend its cooperation to NGOs in their contribution towards heightening international awareness of the Palestine question and the needs of the Palestinian people.

B. Membership and officers

The members of the Committee, originally a 20-State body but expanded in 1976 to 23 States,* are: Afghanistan, Belarus**, Cuba, Cyprus, Guinea, Guyana, Hungary, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Nigeria, Pakistan, Romania, Senegal, Sierra Leone, Tunisia, Turkey, Ukraine and Yugoslavia. In 1994, 20 countries are observers at the Committee meetings. The League of Arab States and the Organization of the Islamic Conference also participate in the Committee meetings as observers.

On the basis of General Assembly resolutions 3210 (XXIX) and 3237 (XXIX) of 1974, and the subsequent decision taken by the Committee in 1976, the PLO, as the representative of the Palestinian people and the principal party to the question of Palestine, was invited to participate in the Committee's deliberations as an observer. On 15 December 1988, the General Assembly adopted resolution 43/177 in which it decided that the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the PLO within the United Nation system, in conformity with relevant United Nations resolutions and practice.

The following officers (or Bureau) of the Committee were elected at the meeting of the Committee on 27 January 1994: H.E. Mr. Kéba Birane Cissé, Permanent Representative of Senegal to the United Nations, as Chairman; H.E. Mr. Fernando Remirez de Estenoz Barciela, Permanent Representative of Cuba to the United Nations and H.E. Mr. Ravan Farhadi, Permanent Representative of Afghanistan to the United Nations, as Vice-Chairmen; and H.E. Mr. Joseph Cassar, Permanent Representative of Malta to the United Nations, as Rapporteur.

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* *Guyana, Mali and Nigeria joined the Committee in 1976 in accordance with General Assembly decision 31/318 of 22 December 1976.*

** *Belarus (then the Byelorussian SSR) joined the Committee in accordance with General Assembly decision 45/313 of 6 December 1990, and filled the vacancy brought about by the accession of the former member of the Committee, the German Democratic Republic, to the Federal Republic of Germany.*

Division for Palestinian Rights

In 1977, the General Assembly recognized the need for the greatest possible dissemination of information on the inalienable rights of the Palestinian people and on the efforts of the United Nations to promote the attainment of those rights and requested the Secretary-General to establish a Special Unit on Palestinian Rights in the United Nations Secretariat to prepare studies and publications on the issue and to promote maximum publicity for them (resolution 32/40 B of 2 December 1977). The Unit, later renamed the Division for Palestinian Rights, is currently part of the Department of Political Affairs of the United Nations Secretariat. Its mandate has been annually extended and has been expanded several times over the years.

The Division provides substantive servicing to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and carries out its functions in consultation with and under the guidance of the Committee. Its activities are described below.

• Regional seminars on the question of Palestine

Seminars on various issues relating to the question of Palestine have been held by the Division in all regions of the world on a regular basis, in accordance with a mandate originally given by the General Assembly in resolution 34/65 D of 12 December 1979. Annual seminars are held in North America and Europe, while seminars in the other regions are convened in principle every two years, and are often combined with NGO events. The seminars are attended by experts from the respective regions, as well as Palestinians and Israelis, parliamentarians, representatives from intergovernmental organizations, NGOs and United Nations agencies, the media and Committee members. Since 1980, the Division has organized 34 such seminars.

During 1993, the following seminars were organized by the Division:

- United Nations Seminar on Assistance to the Palestinian People (Paris, April 1993);
- Ninth United Nations North American Seminar on the theme "Priorities for United Nations action" (New York, June 1993);
- Seventh United Nations African Seminar on the Question of Palestine on the theme "Africa, the Middle East and the question of Palestine" (Dakar, August-September 1993).

• Regional symposia and international meetings for NGOs

Since 1983, following decisions taken by the International Conference on the Question of Palestine and subsequently endorsed by the General Assembly (resolution 38/58 B of 13 December 1983), the Division has been mandated to increase its contacts with NGOs and to convene symposia and meetings for NGOs in different regions in order to heighten awareness of the facts relating to the question of Palestine. The Committee has repeatedly expressed its appreciation for the role played by NGOs in supporting the Palestinian cause and in promoting international humanitarian and development assistance.

Since 1984, 26 regional symposia and 10 international meetings have taken place. Like the seminars, NGO symposia are held annually in Europe and North America, and biennially in other regions. International meetings have been held annually at either Geneva or Vienna. Participating NGOs are accredited to the Committee on the Exercise of the Inalienable Rights of the Palestinian People through a special procedure and elect Coordinating Committees that maintain ongoing contact with the United Nations Secretariat. Coordinating Committees of NGOs exist at present in all regions and an International Coordinating Committee of Non-Governmental Organizations on the Question of Palestine, which also includes Palestinian and Israeli NGOs, has also been established.

During 1993, the following symposia and international meetings were held:

- Tenth United Nations North American NGO Symposium, held in New York, June 1993, on the theme "Building for peace and Palestine: priorities for the second decade of the NGO movement";

- Seventh United Nations European NGO Symposium, held at Vienna, August 1993, on the theme "The Middle East peace process: Palestinian rights and development - a challenge to Europe";

- Fourth United Nations African NGO Symposium, held at Dakar, August 1993, in conjunction with the Seventh United Nations African Seminar;

- Tenth United Nations International NGO Meeting, held at Vienna, August 1993, on the theme "Renewing the United Nations - NGO commitment to Palestinian national and human rights".

- **Research, monitoring, and publications, including the United Nations Information System on the Question of Palestine (UNISPAL)**

The collection, exchange and dissemination of information by the Division are considered by the Committee as being of particular importance to its endeavours to make a constructive contribution to the ongoing peace process and the implementation of the Declaration of Principles on Interim Self-Government Arrangements. The Division has also been requested to monitor political and other relevant developments affecting the inalienable rights of the Palestinian people.

The programme of the Division includes, on a regular basis, the following publications:

- Monthly bulletins on international action on the question of Palestine;

- Periodic bulletins entitled "Developments related to the Middle East Peace Process", (formerly "Approaches towards the settlement of the Arab-Israeli conflict and the question of Palestine");

- A chronological summary of relevant events based on press reports and other sources.

The Division also publishes the reports of regional seminars, regional NGO symposia and the International NGO Meetings held under the auspices of the Committee; a special bulletin on the commemoration of the International Day of Solidarity with the Palestinian People; and an annual

compilation of relevant resolutions and decisions adopted by the Security Council, the General Assembly and the Economic and Social Council.

The Division has also published a number of studies on legal, political and economic aspects of the question of Palestine.

In response to a request by the General Assembly in resolution 46/74 B of 11 December 1991 for the establishment of a computer-based information system on the question of Palestine, the Division is continuing to work on this project, which is intended to contain a large volume of documentary, analytical and statistical information.

- **International Day of Solidarity with the Palestinian People**

Pursuant to General Assembly resolution 32/40 B of 2 December 1977, the International Day of Solidarity with the Palestinian People is observed annually. The observance takes place at Headquarters, at the United Nations Offices at Geneva and Vienna and elsewhere. The observance includes special meetings at which statements are made by high-level personalities, including the display of exhibits, film showings, and other activities, depending on the location. A separate information note is available on this commemoration.

- **Other United Nations system organizations**

Different aspects of the question of Palestine have become important elements of the work programme of other organs and bodies of the United Nations system, in addition to the Committee and the Division. For example, the human rights situation in the occupied territories is of concern to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, the Commission on Human Rights and its Special Rapporteur on Human Rights in the Occupied Territories. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is charged with assuring the welfare of Palestine refugees. The economic and social development of the occupied territories is of concern to the World Bank, the United Nations Development Programme (UNDP), the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Orgnaization (UNESCO), the International Labour Organisation (ILO) and the United Nations Children's Fund (UNICEF). The situation of Palestinian women is of concern to the Commission on the Status of Women. The United Nations Conference on Trade and Development (UNCTAD), the Economic and Social Commission for Western Asia (ESCWA), the United Nations Centre for Human Settlements (Habitat) and others have developed activities within their respective spheres of competence.

Information on all those activities is regularly included in the monthly bulletin of the Division and will be a feature of the computerized information system.

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